

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER RULE 1.53(b)**

Pursuant to 37 CFR 1.53(b), please file a ☐ continuation/☒ divisional
of the pending prior PATENT APPLICATION of:
Inventor: HERMON-TAYLOR et al.

Serial No. 09/091,538

Filed: September 16, 1998

For: NOVEL POLYNUCLEOTIDES AND POLYPEPTIDES IN PATHOGENIC MYCOBACTERIA
AND THEIR USE AS DIAGNOSTICS, VACCINES AND TARGETS FOR CHEMOTHERAPY

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

Atty Dkt.: 117-323

C# M#

Date: November 6, 2000

Group: 1645

Examiner: R. Baskar

1c813 U.S. PRO
09/705911
11/06/00

This request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title):
Inventor(s): HERMON-TAYLOR et al.

- ☒ Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.
- ☒ Priority is hereby claimed under 35 USC 119 based on the following foreign applications, the entire content of which is hereby incorporated by reference in this application:

<u>Application Number</u>	<u>Country</u>	<u>Day/Month/Year/Filed</u>
9526178.0	Great Britain	21 December 1995
PCT/GB96/03221	PCT	23 December 1996

☒ certified copy(ies) of foreign application(s) attached or

☐ already filed on _____ in prior appln. no. _____

filed _____

☒ already filed in 09/091,538

filed September 16, 1998

- ☐ Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.--

☒ The prior application is assigned to St. George's Hospital Medical School.

☒ Power of Attorney has been granted to B.J. Sadoff et al, Reg. No. 36,663 of Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Floor, Arlington, VA 22201.

☒ Address all future communications to: Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Floor, Arlington, VA 22201.

☒ Please amend the specification by inserting before the first line --This is a divisional of application Serial No. 09/091,538, filed September 16, 1998, now pending, which is a 371 application of PCT/GB96/03221, filed December 23, 1996 the entire content of which is hereby incorporated by reference in this application.--

☐ "Small entity" statement of record. ☐ "Small entity" statement attached.

☐ Petition filed in prior application to extend its life to insure co-pendency.

☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein.

☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

- ☒ The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HERewith CANCELED

Basic Filing Fee		\$	710.00
Total effective claims	23 - 20 (at least 20) = 3	x \$ 18.00	\$ 54.00
Independent claims	4 - 3 (at least 3) = 1	x \$ 80.00	\$ 80.00
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)			\$ 270.00
	SUBTOTAL	\$	1,114.00
If "small entity," then enter half (1/2) of subtotal and subtract		\$(0.00)
	SECOND SUBTOTAL	\$	1,114.00
Assignment Recording Fee (\$40.00)		\$	0.00
	TOTAL FEE ENCLOSED	\$	1,114.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
BJS:jls

NIXON & VANDERHYE P.C.

By Atty: B.J. Sadoff, Reg. No. 36,663

Signature: _____

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